

REMARKS

This letter is responsive to the final office action dated June 24, 2009.

Amendments to the Specification

The Applicants have amended paragraphs [0015], [0033], [0042], [0058], [0086], [0090] and [0098] to correct a number of typographical errors and grammatical mistakes. No new matter is added.

Amendments to the Claims

The Applicants have amended claims 14, 21, 25 and 36.

Claim 14 has been amended to correct a typographical error in the numbering of the claim elements.

Claim 21 has been amended to provide sufficient antecedent basis for the subject matter of the claim. Specifically, the phrase "the input processor control signals" has been replaced with the phrase "input processor control signals".

Claim 25 has been amended to provide sufficient antecedent basis for the subject matter of the claim. Specifically, the phrase "the global identification of each packetized signal packet" has been replaced with the phrase "a unique global identification code of each packetized signal packet".

Claim 36 has been amended to provide sufficient antecedent basis for the subject matter of the claim. Specifically, the phrase "the output processor control signals" has been replaced with the phrase "output processor control signals".

Claim Rejections – 35 U.S.C §112

Claims 21, 22, 25 – 28 and 36 are rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner rejected claims 21 and 22 on the basis that the subject matter “the input processor control signals” of claim 21 lacks sufficient antecedent basis. In response, the Applicants have replaced the phrase “the input processor control signals” in claim 21, with the phrase “input processor control signals”.

The Examiner rejected claims 25-28 on the basis that the subject matter “the global identification code of each packetized signal packet” of claim 25 lacks sufficient antecedent basis. In response, the Applicants have replaced the phrase “the global identification of each packetized signal packet” in claim 25, with the phrase “a unique global identification code of each packetized signal packet”.

The Examiner rejected claim 36 on the basis that the subject matter “the output processor control signals” lacks sufficient antecedent basis. In response, the Applicants have replaced the phrase “the output processor control signals” in claim 36, with the phrase “output processor control signals”.

Accordingly, all of the rejections under 35 U.S.C. 112 have been addressed. Withdrawal of the rejection is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claim 1

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,269,841 in the name of Hendricks et al. ("Hendricks") in view of U.S. Patent No. 7,190,695 in the name of Schaub et al. ("Schaub"), in further view of U.S. Published Patent Application No. 2003/0156535 in the name of Lebizay et al. ("Lebizay").

The Applicants submit that Hendricks, Schaub and Lebizay, either alone or in combination fail to disclose or suggest all of the features of claim 1. Specifically, the Applicants submit that Hendricks, Schaub and Lebizay, either alone or in combination, fail to disclose "assigning each of the packet source signals a unique global identification code" and "generating one or more packetized signals wherein each of the packetized signals includes a series of packetized signal packets, wherein each of the packetized signal packets contains the unique global identification code of one of the packet source signals" as recited in claim 1.

On pages 3 and 4 of the Office Action, the Examiner concedes that Hendricks does not disclose these features. The following is the relevant text from pages 3 and 4:

"Hendricks et al. does not disclose the feature of assigning each of the packet source signals a unique global identification code; retrieving at least one of the packet source signals and generating a packetized signal wherein the packetized signal includes a series of packetized signal packet [sic], wherein each of the packetized signal packets contains the global identification code of one of the packet source signals and data corresponding to the same packet source signal."

On page 16 of the Office Action, the Examiner concedes that these features are also not disclosed by Lebizay et al. The following is the relevant text from page 16:

"Lebizay et al. does not disclose the packetized signal packets are identified with a global identification code."

However, it is the Examiner's position that these features are disclosed in Schaub. Specifically, it is the Examiner's position that Schaub teaches assigning each of the packet source signals a global identification code and retrieving at least one of the packet source signals and generating a packetized signal wherein each of the packetized signal packets contains the unique global identification code of one of the packet source signals and data corresponding to the same packet source signal.

The Examiner's position is explained on page 20 of the Office Action as follows:

"Schaub teaches (e.g. see Fig. 1 and column 2, lines 7-45) that data signal of a set is transmitted in a series of packets over a communication link; each packet is assigned A, B, C or D to specify the set a packet belongs to; a set of packets is a group of packets having some common attributes e.g. the same flow, MAC address, or IP address, etc. The identifiers A, B, C and D can be viewed as unique global identification codes because each of them represents a unique set of packets, i.e. A represents set A, B represents set B, C represents set C, and D represents set D. Therefore, set identifier A, B, C and D can be viewed as the unique identification codes as required in the claims."

This position is respectfully traversed for the following reasons. First, Schaub neither discloses nor suggests **"assigning each of the packet source signals a unique global identification code"** as recited in claim 1.

The Applicant submits that the identifiers A, B, C and D are not "assigned" to the packets by the generator of the packets to specify the set a packet belongs to. Specifically, the packets received by the packet distributor 102 of Schaub can be grouped into sets wherein a set of packets is defined as a group of packets that have some similar characteristic (i.e., switched, routed, same flow, same MAC source address/destination address, same IP source address/destination address, same socket, etc.) (See Schaub, Col. 2, Ln. 17-21). Accordingly, what identifies a packet as belonging to a particular set is the characteristics of the packet, not the A, B, C or D identifiers (See Schaub, Col. 2, Ln. 34-38). The identifiers A, B, C and D are simply reference labels used to illustrate to the reader which packets contain certain common characteristics and thus can be considered a set.

Second, even if, contrary to the Applicants' position, Schaub discloses assigning each of the packet source signals a unique global identification code, Schaub neither discloses nor suggests "retrieving one or more of the packet source signals and generating one or more packetized signals wherein each of the packetized signals includes a series of packetized signal packets, wherein **each of the packetized signal packets contains the unique global identification code of one of the packet source signals** and data corresponding to the same packet source signal" as recited in claim 1.

If as the Examiner has stated, the identifiers A, B, C and D can be viewed as unique global identification codes, the packets of Schaub must **contain** an A, B, C or D for Schaub to disclose "a series of packetized signal packets, wherein each of the packetized signal packets contains the unique global identification code of one of the packet source signals." The Applicants submit that the packets of Schaub do not actually contain an A, B, C, or D and thus each of the packets do not contain a unique global identification code of one of the packet source signals as recited in claim 1.

Specifically, Schaub discloses a method of distributing packets from an incoming link to multiple output links by mapping each packet to one of multiple output links (See Schaub, Col. 2, Ln. 7-9). The packets can be grouped into sets wherein a set of packets is a group of packets that have some similar characteristic (i.e., switched, routed, same flow, same MAC source address/destination address, same IP source address/destination address, same socket, etc.) (See Schaub, Col. 2, Ln. 17-21). To maintain the order of a set of packets, packets from the same set are distributed to the same output link (See Schaub, Col. 2, Ln. 21-23). Distributing packets from the same set to the same output link is typically accomplished by parsing out fields in the header of each packet and then applying a mapping algorithm to the parsed field(s) (See Schaub, Col. 2, Ln. 34-38). Accordingly, Schaub discloses a method of sorting packets using the standard information in the header of packet so that packets that contain similar characteristics are mapped to the same output link.

However, Schaub does not disclose generating or receiving packets that include an additional unique global identification code that identifies the packet as being associated with a particular packet source signal. As described above, the A, B, C and D used in Schaub are simply reference labels used to illustrate to the reader which packets contain certain common characteristics and thus can be considered a set. An A, B, C or D identifier is not actually inserted into each packet.

The Applicants further submit that Hendricks, Schaub and Leibzay, either alone or in combination, fail to disclose "wherein each of the one or more packetized signals may be further processed using the unique global identification code of each packetized signal packet to produce one or more output signals" as recited in claim 1.

On pages 3 and 4 of the Office Action, the Examiner concedes that Hendricks does not disclose this feature. The following is the relevant text from pages 3 and 4:

"Hendricks et al. does not disclose ... wherein each of the one or more packetized signals may be further processed using the unique global identification code of each packetized signal to produce one or more output signals."

However, it is the Examiner's position that this feature is disclosed in Lebizay. Specifically, it is the Examiner's position that Lebizay teaches that packetized signals are processed using a unique global identification code of each packetized signal packet produce one or more output signals. The Examiner points to element 410, Fig. 4 and paragraphs [0031] and [0032] of Lebizay as disclosing this feature.

This position is respectfully traversed. Specifically, on page 16 of the Office Action, the Examiner concedes that Lebizay does not disclose packetized signal packets that are identified with a global identification code. The following is the relevant text from page 16 of the Office Action:

"Lebizay et al. does not disclose the packetized signal packets are identified with a global identification code."

The Applicants agree with the Examiner's assessment of Lebizay in this respect. Accordingly, the Applicants submit that since Lebizay does not disclose the use of global identification codes, then Lebizay cannot disclose further processing the one or more packetized signals using the unique global identification code of each packetized signal packet to produce one or more output signals.

In view of the above, the Applicants respectfully submit that Hendricks, Schaub and Lebizay fail to disclose all of the features of claim 1. Accordingly, it is respectfully submitted that the subject matter of claim 1 is both novel and non-obvious. Dependent claims 2, 4-6, and 29-31 while differing in scope from independent claim 1, distinguish

over Hendricks, Schaub and Lebizay for at least the same reasons as independent claim 1.

Claim 9

Claim 9 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of Schaub, in further view of Lebizay.

The Applicants submit that claim 9 contains similar limitations to claim 1 with respect to the unique global identification code and thus the arguments with respect to claim 1 also apply to claim 9.

In view of the above, the Applicants respectfully submit that Hendricks, Schaub and Lebizay fail to disclose all of the features of claim 9. Accordingly, it is respectfully submitted that the subject matter of claim 9 is both novel and non-obvious. Dependent claims 10 -11 and 32-34 while differing in scope from independent claim 9, distinguish over Hendricks, Schaub and Lebizay for at least the same reasons as independent claim 9.

Claim 21

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of U.S. Patent No. 6,937,291 in the name of Gryskiewicz ("Gryskiewicz").

The Applicants submit that Hendricks, Gryskiewicz, either alone or in combination fail to disclose or suggest all of the features of claim 1. Specifically, the Applicants submit that Hendricks and Gryskiewicz, either alone or in combination, fail to disclose "one or more packetized signal output stages for retrieving one or more of the packet source signals from the input processor memory system and for producing one or more packetized

signals at the packetized signal output ports, wherein each of the packetized signals includes a series of packetized signal packets, **wherein each of the packetized signal packets contains a unique global identification code of one of the packet source signals** and data corresponding to the same packet source signal" as recited in claim 21.

On pages 3 and 4 of the Office Action, the Examiner concedes that Hendricks does not disclose this feature. The following is the relevant text from pages 3 and 4:

"Hendricks et al. does not disclose ... generating a packetized signal wherein the packetized signal includes a series of packetized signal packet [sic], wherein each of the packetized signal packets contains the global identification code of one of the packet source signals and data corresponding to the same packet source signal."

The Applicants submit that Gryskiewicz also does not disclose one or more packetized signals wherein each of the packetized signals includes a series of packetized signal packets, wherein each of the packetized signal packets contains a unique global identification code of one of the packet source signals. Specifically, Gryskiewicz teaches an adaptive filter for horizontal and vertical scaling of an incoming video data stream, the adaptive filter is capable of automatically changing the density of data stored in the available memory in real time, following horizontal scaling, such that more efficient vertical scaling may subsequently be formed. Gryskiewicz does not teach or suggest that the incoming video data comprises a plurality of packets wherein each packet contains a unique global identification code.

The Applicants submit that the Examiner has failed to provide any comments on the unique global identification code aspect of claim 1. Accordingly, if the Examiner elects

to maintain his rejection of claim 21 he is asked to provide an explanation of where and how either Hendricks or Gryskiewicz disclose this feature.

In view of the above, the Applicants respectfully submit that Hendricks and Gryskiewicz fail to disclose all of the features of claim 21. Accordingly, it is respectfully submitted that the subject matter of claim 21 is both novel and non-obvious. Dependent claim 22 while differing in scope from independent claim 21, distinguishes over Hendricks and Gryskiewicz for at least the same reasons as independent claim 21.

Claims 24, 25, 35 and 36

Claims 24, 25, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lebizay in view Schaub.

The Applicants submit that claims 24, 25, 35 and 36 contain similar limitations to claim 1 with respect to the unique global identification code and thus the arguments with respect to claim 1 also apply to claims 24, 25, 35 and 36.

In view of the above, the Applicants respectfully submit that Lebizay and Schaub fail to disclose all of the features of claims 24, 25, 35 and 36. Accordingly, it is respectfully submitted that the subject matter of claims 24, 25, 35 and 36 is both novel and non-obvious. Dependent claims 26-28 while differing in scope from independent claim 25, distinguish over Lebizay and Schaub for at least the same reasons as independent claim 25.

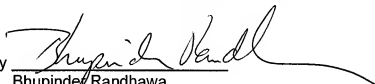
Conclusion

The Applicants respectfully submit that this case is now in condition for allowance and request that the Examiner's objections be withdrawn and a timely Notice of Allowance be issued.

The Examiner is requested to contact the undersigned by telephone or e-mail to address any issues that can expedite this case.

Respectfully submitted,

BERESKIN & PARR LLP/S.E.N.C.R.L., s.r.l.

By 
Bhupinder Randhawa
Reg. No. 47,276
(416) 957-1630